

State of California
California Regional Water Quality Control Board
Colorado River Basin Region

MINUTES OF BOARD MEETING

March 21, 2007, 10:00 a.m.
City Council Chambers
City of La Quinta
78-495 Calle Tampico
La Quinta, CA 92253

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Nancy Wright at 10:00 a.m. on March 21, 2007 in the City Council Chambers, City of La Quinta, California.

1. Roll Call (Board Members Only)

Board Members Present:

Jeff Hays, Maurice "Red" Martinez, Richard "Rick" Post, Ellen Way, and Nancy Wright. The Board Secretary stated that a quorum was present.

Staff Present:

Adnan Al-Sarabi, Jose Angel, Mary Castaneda, Jose Cortez, Kai Dunn, Abdi Haile Cecilia Irwin, Mohammad Nash, Robert Perdue, Cliff Raley, Jonathan Rokke, Joan Stormo, Hilda Vasquez and Doug Wylie.

Others Present:

Tom Vandenberg, SWRCB, OCC
Phil Wyels, SWRCB, OCC
Sergio J. Cabanas, Ormat Nevada, Inc.
Bob Lucas, PG & E
Yvonne Meeks, PG & E
Jim Harrington, PG & E
Bob Doss, PG & E
Rue Packard, Yucca Valley
Robert Nicklen, General Interest
Arlene B. Chun, Riverside County Flood Control
R. L. Elder, Drake Development
Barry Bierschbach, Drake Development
Michael Pollack, GSWC
Dan Cain, SSA

Dawn Hubbs, Hualapai Tribe
Robert Edwards, City of Indio
Steve Bigley, CVWD
Lisa Swick Fisher, CRIT

2. Minutes

Minutes of the September 20, 2006, Board Meeting.

MOTION:

Jeff Hays moved, Maurice Martinez seconded, and motion carried unanimously that the September Minutes be approved as submitted.

3. Public Forum

No comments from the public.

4. Uncontested Waste Discharge Requirements

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| R7-2007-0002 | Waste Discharge Requirements for Desert Legacy, LLC Wastewater Treatment and Disposal Facility, City of Twentynine Palms – San Bernardino County |
| R7-2007-0005 | Change of Name and/or Ownership of Facilities having Waste Discharge Requirements |
| R7-2007-0008 | Waste Discharge Requirements for Desert Vista Village, LLC Wastewater Treatment and Disposal Systems, Town of Yucca Valley – San Bernardino County |
| R7-2007-0010 | Waste Discharge Requirements for Heber Field Company, Owner Ormat Nevada Inc., Operator Orcal Geothermal Inc., Wellfield Mud Sumps Heber Known Geothermal Resource Area (KGRA), Heber – Imperial County |
| R7-2007-0012 | Waste Discharge Requirements for Ormat Nevada Inc., Owner/Operator North Brawley Geothermal Exploration Project, Wellfield Mud Sumps North Brawley Known Geothermal Resource Area (KGRA), Brawley – Imperial County |

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| R7-2007-0014 | A Special Order Revising Waste Discharge Requirements Order R7-2006-0008, Pacific Gas and Electric Company, Owner/Operator, Topock Compressor Station – Floodplain Reductive Zone In-situ Pilot Test, Needles – San Bernardino County | | |
| R7-2007-0015 | Waste Discharge Requirements for Pacific Gas and Electric Company PG&E Topock Compressor Station – Upland In-situ Pilot Test, Needles – San Bernardino County | | |
| R7-2007-0023 | Rescission of Waste Discharge Requirements | | |
| | JC | R7-2004-0100 | PG&E Groundwater Remediation Facility |
| | JC | R7-2005-0065 | Second Imperial Geothermal |
| | JC | R7-2005-0066 | Heber Geothermal Company |
| R7-2007-0028 | Waste Discharge Requirements for Sunwest Development, LLC, Mesa Apartments Wastewater Collection, Treatment, and Disposal Systems, City of Twentynine Palms – San Bernardino County | | |

MOTION:

Jeff Hays moved, Maurice Martinez seconded, and motion unanimously that Board Order Nos. R7-2006-0002 with Errata, R7-2007-0005, R7-2007-0008 with Errata, R7-2007-0010 with Errata, R7-2007-0012, R7-2007-0014, R7-2007-0015 with Errata, and R7-2007-0028 be adopted.

5. Uncontested Enforcement

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| R7-2007-0004 | Administrative Civil Liability Order No. R7-2007-0004 Mandatory Minimum Penalty in the matter of City of Westmorland, Owner/Operator Municipal Wastewater Treatment Plant, Westmorland – Imperial County | | |
| R7-2007-0007 | Administrative Civil Liability Order No. R7-2007-0007 Mandatory Minimum Penalty in the matter of Ormat Nevada, Inc., Second Imperial Geothermal Company, Heber – Imperial County | | |

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| R7-2007-0011 | Administrative Civil Liability Order No. R7-2007-0011 Mandatory Minimum Penalty and Monitoring and Reporting Order No. R7-2007-0011 in the matter of Heber Public Utility District, Owner/Operator Municipal Wastewater Treatment Plant, Heber – Imperial County |
| R7-2007-0029 | Administrative Civil Liability Order No. R7-2007-0029 Mandatory Minimum Penalty in the Matter of Ormat Nevada Inc., Geothermal Power Plant, (Heber 1), Heber – Imperial County |
| R7-2007-0030 | Administrative Civil Liability Order No. R7-2007-0030 Mandatory Minimum Penalty in the Matter of Ormat Nevada Second Imperial Geothermal Company, Owner/Operator, Heber – Imperial County |

MOTION:

Ellen Way moved, Maurice Martinez seconded, and motion carried unanimously that Board Order Nos. R7-2006-0004, R7-2007-0007, R7-2007-0011, R7-2007-0029 with Errata, and R7-2007-0030 be adopted.

6. Uncontested Waste Discharge Requirements (Continued)

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| R7-2007-0023 | Rescission of Waste Discharge Requirements R7-2004-0100 PG&E Groundwater Remediation Facility R7-2005-0065 Second Imperial Geothermal R7-2005-0066 Heber Geothermal Company |
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MOTION:

Maurice Martinez moved, Jeff Hays seconded, and motion carried unanimously that Board Order No. R7-2007-0023 with Errata be adopted.

7. Contested Waste Discharge Requirements

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| R7-2007-0009 | Waste Discharge Requirements for Drake Development LLC – Tract 16587 Church Street Wastewater Treatment and Disposal Systems, Town of Yucca Valley – San Bernardino County |
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MOTION:

Jeff Hays moved, Richard Post seconded, and motion carried unanimously that Board Order No. R7-2007-0009 with Errata be adopted.

8. Resolutions

Nancy Wright postponed the adoption of Resolutions:

R7-2007-0003, Expressing Appreciation to Leon Lesicka, former Board Member

R7-2007-0017, Expressing Appreciation to Al Goff, IBWC Yuma

R7-2007-0018, Expressing Appreciation to Celeste Cantu, former State Water Resources Control Board Executive Director

9. Other Business

Informational Update on State Water Resources Control Board Activities

Celeste Cantu, former Executive Director is now working at the Santa Ana Water Authority Project. Dorothy Rice is the new Executive Director. Frances Weber-Spivy is a new State Board Member and Art Baggett is now Region 7's State Board Liaison. State Board is revising their Strategic Plan and hired a consultant, Lisa Beutler, Center for Collaborative Policy. Ms. Beutler and the Design Team will help facilitate the Strategic Plan meetings. Chair Wright reported that she and Robert Perdue attended the Stakeholders Summit on March 12 and 13. Each region will be holding a Regional Summit and invite their Stakeholders. Ms. Beutler and her staff will also visit each regional board and request staff input during the Staff Summits. The summit results will be reported at the next WQCC meeting.

Informational Update on Reportable Violations of the California Water Code

The revised Noncompliance with Waste Discharge Requirements of Applicable Statutory or Regulatory Requirements Resolution No. 2002-0040, Water Enforcement Policy from July 1, 2006 through December 31, 2006 was provided to all Board Members.

Jose Angel gave a report on the relationship between the non-compliance and the Administrative Civil Liabilities (ACL), the rescission and re-adoption of Orders.

Colorado River Basin Water Board Executive Officer's Report – RP

The Executive Officer (EO) reported on meetings with the new Executive Director for the SWRCB, Dorothy Rice.

Tom Vandenberg, Regional Board Legal Counsel, reported on the March 15, 2007, meeting with Linda Otero, Tribal Council Member and Director of the Fort Mojave Indian Tribe in Needles, the Tribes legal counsels, and the Regional

Board EO. The Tribes religious beliefs and the impacts of the ongoing Chromium remediation on those beliefs were discussed.

The EO stated that budgeting and hiring were going smoothly this State Fiscal Year. He introduced three new staff: Mohammed Nash, Dr. Kai Dunn, and Cliff Raley, and also mentioned the hiring of Mike Kashak; the EO discussed ongoing legislative processes; Vice-Chair Way described the difficulties that farming faces due to both the recent freeze and E. coli problems; and finally, the EO explained that the Regional Board Office hosted Department of Water Resources for a conference to kick off the competitive disbursement of \$36 million of Prop 84 Bond money to the local entities in the Region.

Colorado River Basin Water Board Member Comments

The Regional Board welcomed Richard Post to the Board.

Colorado River Basin Water Board Chair's Report – NW

All Board Members requested the Pledge of Allegiance at the beginning of future board meetings.

On March 27, she and Jose Angel will be attending a Salton Sea Advisory Committee meeting where the Michael Chrisman, Secretary of Resources will be announcing his preferred alternative on Salton Sea Restoration Plan prior to reporting to the Legislature.

Schedule of Board Meetings for Calendar Year 2007

Two Regional Board Members could not attend the scheduled November 14, 2007, Board Meeting due to conflicts in schedules. Hilda Vasquez will see if the meeting can be held the week before or the week after November 14.

Election of Regional Board Chair and Vice-Chair for Calendar Year 2007

MOTION:

Ellen Way nominated Nancy Wright for Chair and moved, Jeff Hays seconded, and motion carried unanimously.

Nancy Wright nominated Ellen Way for Vice-Chair and moved, Richard Post seconded, and motion carried unanimously.

10. Arrangements for Next Board Meeting

Date: May 16, 2007

11. Adjournment

11:44 a.m.